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OF COUNSEL
MARK J. ZWEIFLER

ADMITTED IN NEW YORK
AND NEW JERSEY ONLY

October 14, 2003

2003 OCT 14 PM 2:35

BY MESSENGER

Ms. Jerrily R. Kress, FAIA
Director
Office of Zoning
441 4th Street, N.W., Suite 210
Washington, D.C. 20001

Re: Application of Sheridan School; BZA No. 16977; Submission of Revised Conditions

Dear Ms. Kress:

As requested by the Board, please find enclosed the Revised Proposed Conditions. This version of the Proposed Conditions, dated October 10, 2003, has been reviewed by Ms. Cathy Wiss and Messrs. Carl Kessler and Scott Schachter. Revisions were made only to paragraphs 6, 7 and 18.

Mr. Schachter requested that we state in this transmittal letter that he has authorized the School to represent that he will not be submitting any response separately on the proposed conditions.

Also submitted for the record is the enclosed copy of the revised traffic management plan in the form of a letter dated October 10, 2003 addressed to Sheridan parents.

Thank you for your consideration of these documents.

BZA
Case No. 16977
Exhibit No. 57

Board of Zoning Adjustment
District of Columbia
CASE NO. 16977
EXHIBIT NO. 57

Sincerely,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
Jacques B. DePuy

By: _____
Lyle M. Blanchard

Enclosures

217356

cc: All Copies By First Class Mail
Ms. Cathy Wiss, Chairperson, ANC 3F
Mr. Carl Kessler, Commissioner, ANC 3F-01
Mr. Scott Schachter
Office of Planning (Attn: Mr. Stephen Mordfin)
DDOT (Attn: Mr. Ken Laden)
Mr. Rick Nero
Mr. C. Randall Plummer
Mr. Brian Barlia

REVISED; October 10, 2003

PROPOSED CONDITIONS TO B.Z.A. ORDER
APPROVING APPLICATION OF SHERIDAN SCHOOL
FOR A SPECIAL EXCEPTION AND VARIANCES

B.Z.A. APPLICATION NUMBER 16977

1. The classroom additions, constituting approximately 1,200 square feet of gross floor area, shall be as shown on the site plan prepared by Hickok Warner Cole dated July 29, 2003 marked as Exhibit __ of the record and the floor plans and elevations prepared by Hickok Warner Fox dated October 14, 2002 and marked as Exhibit __ of the record.

2. The parking layout of the small parking area in front of the school building on 36th Street, N.W. and the main parking area on Alton Place, N.W. shall be as shown on Exhibit __ of the record. The applicant shall ensure that such parking areas are used in the manner depicted on Exhibit __ and specifically that the drive aisle in the lot on Alton Place is not used for the parking of motor vehicles and there is no stacked parking in the parking area in front of the school building on 36th Street, N.W. The parking area on Alton Place shall only be used during school hours by faculty and staff. During after school hours, school visitors, parents and members of the board of trustees, may use such parking area.

3. Landscaping shall be provided as shown on a landscaping plan prepared by Hickok Warner Cole dated July 16, 2003 marked as Exhibit __ of the record and the applicant shall comply with such plan. All landscaping shall be maintained in a healthy growing condition and replaced when and as necessary pursuant to and in accordance with the landscaping conditions marked as Exhibit __ of the record.

4. The number of students (including students enrolled during the customary school term from September to June and during the CASA or similar summer program between June and August) shall not exceed 226, no more than 50 of which shall be kindergarten students. Notwithstanding the foregoing, such number of students shall not exceed 215 during the 2004-2005 school year and 220 during the 2005-2006 school year and, furthermore, the applicant shall complete the landscaping plan marked as Exhibit __ and the revisions to the parking lots on Alton Place, N.W. and 36th Street, N.W. marked as Exhibit __ prior to any increase in enrollment above 215 students. For the purpose of this paragraph, students shall be defined as those children who are enrolled in the school or participate in summer

school or summer camp activities (including, but not limited to, children who pay tuition or receive scholarships).

5. The hours of operation shall be between 7:30 a.m and 6:00 p.m. Monday through Friday.

6. Evening and weekend activities or events shall be restricted to those activities and events that are customary to an elementary school (kindergarten through eighth grade). Activities or events, which would attract 50 or more persons or 25 or more vehicles, shall be restricted to a maximum of 12 per year. During such activities or events, ingress and egress shall be restricted to the building's main entrance on 36th Street, N.W. The applicant shall notify all persons on the List of Neighbors (as defined in Paragraph 10 below) of all planned activities or events described in this paragraph at least one week in advance of such activities or events by mail or electronic mail. This paragraph shall not be construed to limit or affect the farmer's market that has operated at these premises.

7. The applicant shall not rent or make the school or its facilities available for commercial or profit-making functions or activities such as dances, concerts, exercise classes or other events. This paragraph shall not be construed to limit or affect the CASA or any similar summer educational program or summer camp traditional to an elementary school offered by the applicant or the farmer's market that has operated at these premises.

8. No trash collection shall occur prior to 9:00 a.m. or any later than 6:00 p.m. Monday through Friday. No pickups or deliveries shall occur at any entrance to the building located on the north side of the building (i.e., facing Alton Place, N.W.) prior to 9:00 a.m. or any later than 6:00 p.m. Monday through Friday. The applicant shall post a sign adjacent to the door that is located nearest to the parking lot on Alton Place, N.W. indicating that no deliveries shall be accepted at such location except during such hours. Deliveries of produce, perishable goods or similar items that are time-sensitive may be accepted at the building's main entrance on 36th Street between 7:00 a.m. and 9:00 a.m. on an occasional "as-needed" basis. No deliveries shall be made during the weekend or school holidays.

9. All mechanical equipment associated with the central heating and cooling (HVAC) systems shall be located in the basement of the school building or in other interior areas of the building except that new or replacement HVAC equipment may be installed and operated on the exterior of the building (including its roof) provided that the operating noise of any new or replacement HVAC equipment is no greater than the noise generated by any HVAC equipment it replaces, such HVAC equipment is screened from neighboring property and such HVAC equipment is no

larger in size, shape or profile than the HVAC equipment it replaces. Any HVAC equipment not permitted by this paragraph shall require Board of Zoning Adjustment approval.

10. The applicant, in cooperation with the Advisory Neighborhood Commission, shall maintain and continue a community liaison group to report on the applicant's compliance with the conditions of this order, to provide a forum for residents of neighboring and nearby property to express their concerns about the operations and activities of the applicant and to notify such residents of upcoming special events of the applicant. The community liaison group shall meet no fewer than four times per year. Notice of the meetings of the community liaison group shall be sent to all property owners or occupants located in the 3500 and 3600 blocks of Yuma Street, N.W., the 3500 and 3600 blocks of Alton Place, N.W. and the 4300, 4400 and 4500 blocks of 36th Street, N.W. ("List of Neighbors") at least two weeks prior to such meetings by mail or electronic mail. The community liaison group shall discuss and attempt to resolve community concerns including, but not limited to, the following: the conduct of the school's activities and operations; implementation of the drop-off and pick-up program; use of public transportation and carpooling by faculty and staff; implementation of the landscaping plan and ongoing maintenance and replacement of plant material; compliance with the conditions of this Order; traffic reduction and traffic safety; and other issues of interest or concern to residents of the neighborhood pertaining to the operations and activities of the school. Such meetings shall also be used by the applicant to notify the community of upcoming special or other events. To ensure accurate information is made available to residents of the neighborhood, the applicant shall take detailed minutes of all meetings of the community liaison group and transmit such minutes by mail or electronic mail to the List of Neighbors. Such minutes, as well as the List of Neighbors, shall be maintained for a minimum of 2 years by the school and shall be made available for public inspection. In addition, an annual schedule of the meetings of the community liaison group shall be transmitted during September of each year to ANC 3-F and the List of Neighbors. The notices required in this paragraph shall be in addition to, and not instead of, any notices required by any other paragraph. Notwithstanding the foregoing, the applicant shall have no obligation to notify any property owner or occupant included on the List of Neighbors in the event such owner or occupant has notified the applicant in writing that it does not wish to receive further notices.

11. The applicant shall submit an annual report to the Zoning Administrator no later than March 1st of the next following calendar year setting forth its ongoing compliance with each and every condition of this Order. The applicant shall transmit copies of such annual report to the Office of Planning, ANC 3F and any person who is included on the List of Neighbors by

mail or electronic mail. The annual report shall provide detailed information on the number of students enrolled (by range and average number enrolled) and a breakdown of faculty and staff by fulltime, part-time and contract basis (for those contract personnel who work more than 10 hours per week on average). Each annual report shall list the number of written complaints or allegations of non-compliance received by the applicant during the prior year, describe the nature of such complaints or allegations and attach a copy of each complaint.

12. No school bus or van shall be parked on the subject property after school hours unless the arrangements for off-site bus parking are terminated by the owner of such site (or other third party who controls such site) and the applicant is unsuccessful in making arrangements for alternative off-site parking for such bus or van. In the event the arrangements for off-site parking are terminated, the applicant shall use good faith efforts to promptly make alternative arrangements for off-site parking for such bus or van. In the event a school bus or van is parked on the subject property pursuant to this paragraph, the applicant shall report to the community liaison group with respect to its good faith efforts to make alternative off-site parking arrangements within 14 days of the parking of a bus or van on the subject property and thereafter on a biweekly basis until the bus or van is relocated to an off-site property. Notwithstanding the foregoing, in no event shall a school bus or van be parked (i) on any residential streets within the boundaries of ANC 3-F or (ii) or on the subject property after school hours for any period longer than 60 days.

13. The applicant shall use its best efforts to ensure that all students enter and exit the school building by means of either the 36th Street entrance or the playground doors that are closest to 36th Street and that face Yuma Street, N.W. The applicant shall use its best efforts to encourage faculty and staff to enter and exit the school building through (i) the doors located on 36th Street, (ii) the doors that are adjacent to the Yuma Street playground or (iii), if such faculty and staff park in the parking area on Alton Place, N.W., the doors that are adjacent to such parking area. Notwithstanding the foregoing, any students, parents, visitors, faculty or staff who travel to the subject property by means of bicycle and who use any bicycle rack located on the Alton Place (north) side of the school building may use doors on such side of the building to enter and exit the school building.

14. The applicant shall make the playground on the Yuma Street (south) side of the school building available to the community at all times during non-operational hours (i.e., after 6:00pm to dusk Monday through Friday and during daylight hours on weekends and school holidays) except when a school event is scheduled during such hours. This paragraph shall not be deemed

to authorize or require dog walking, skateboarding or in-line skating on school property if prohibited by the applicant and shall not require the applicant to install any fencing or take any actions to secure or protect its playground (other than such actions as have customarily and historically been undertaken by the applicant).

15. The applicant shall comply with, implement and enforce the construction management plan dated September __, 2003 marked as Exhibit __ of the record during the period of the construction of the interior and exterior work described in the plans and drawings submitted in conjunction with the subject application.

16. The applicant shall have flexibility to make minor revisions to any plans submitted in the record for renovations, rehabilitation or replacements located in the interior of the school building provided that such revisions are not visible from adjacent or nearby property, do not require any new or additional zoning relief and do not violate any conditions set forth in this order.

17. The applicant shall use its good faith efforts to provide incentives to faculty and staff to take public transportation or to carpool to and from the subject property (including, but not limited to, offering the MetroChecks program). The applicant shall post signs adjacent to a minimum of 3 parking spaces in the Alton Place parking lot reserving such spaces for, or giving priority to, persons who carpool.

18. The applicant shall comply with, implement and enforce the traffic management plan contained in a letter from the school to Sheridan parents dated October 10, 2003 marked as Exhibit __ of the record and as amended in writing after early consultation with the community liaison group referenced in Paragraph 10 above and securing of any necessary approvals from this Board, the District Department of Transportation or other governmental authorities. The traffic management plan shall *inter alia* contain the following restrictions: (a) parents who are dropping off or picking up their children along the west side of 36th Street, between Alton Place and Yuma Street, should not park or leave their vehicles unattended in this location; (b) children should not cross in the middle of the block on 36th Street, between Alton Place and Yuma Street; (c) U-turns shall not be permitted on 36th Street between Alton Place and Yuma Street; (d) parents may not park in front of the driveways of, or on the lawns of, any nearby residential properties, and (e) double parking along any neighborhood streets shall not be permitted.

SHERIDAN SCHOOL

Friday, October 10, 2003

Dear Sheridan Parents,

We need your help. Safety for our students and children has to be our primary concern. In addition, we have been working closely with our neighbors to foster good relations and a spirit of cooperation. The traffic situation near and around the school must be improved. **It is now school policy that we strictly adhere to the following guidelines.**

Drop-off/Arrival in the Morning:

- **Do not park your car on the school-side of 36th street** and walk your child into the school or leave the car unattended for any reason.
- **You may park BRIEFLY across from the school to walk your child to the crosswalk** at the corner of Alton and 36th Streets. **Do not let your child cross in the middle of 36th Street.**
- Park on 36th Street **on the other side of Alton or Yuma**, or park on Alton or Yuma Streets if you are going to leave your car and come into the school.
- **No U-turns on 36th Street in the front of the school or parking in front of driveways.**
- **No double parking is allowed on neighborhood streets**

Dismissal/Pick-ups in the Afternoon:

- **Do not park on either side of 36th Street in front of the school** if you are leaving your car and coming into the school to meet your child at one of the playground gates.
- **You may park on the school-side of 36th Street in front of the school and remain in your car if you have arranged for your child (or carpool) to come out from the dismissal gate to the curb on the school side of 36th Street.**
- **Do not park in front of driveways or on the lawns of any neighbor's homes.**
- **No double parking is allowed on neighborhood streets**

These measures allow us to remain faithful to the community culture of Sheridan, where parents and children can greet each other in friendship, particularly at the end of the day, while moving traffic and children in a safe and expedient way.

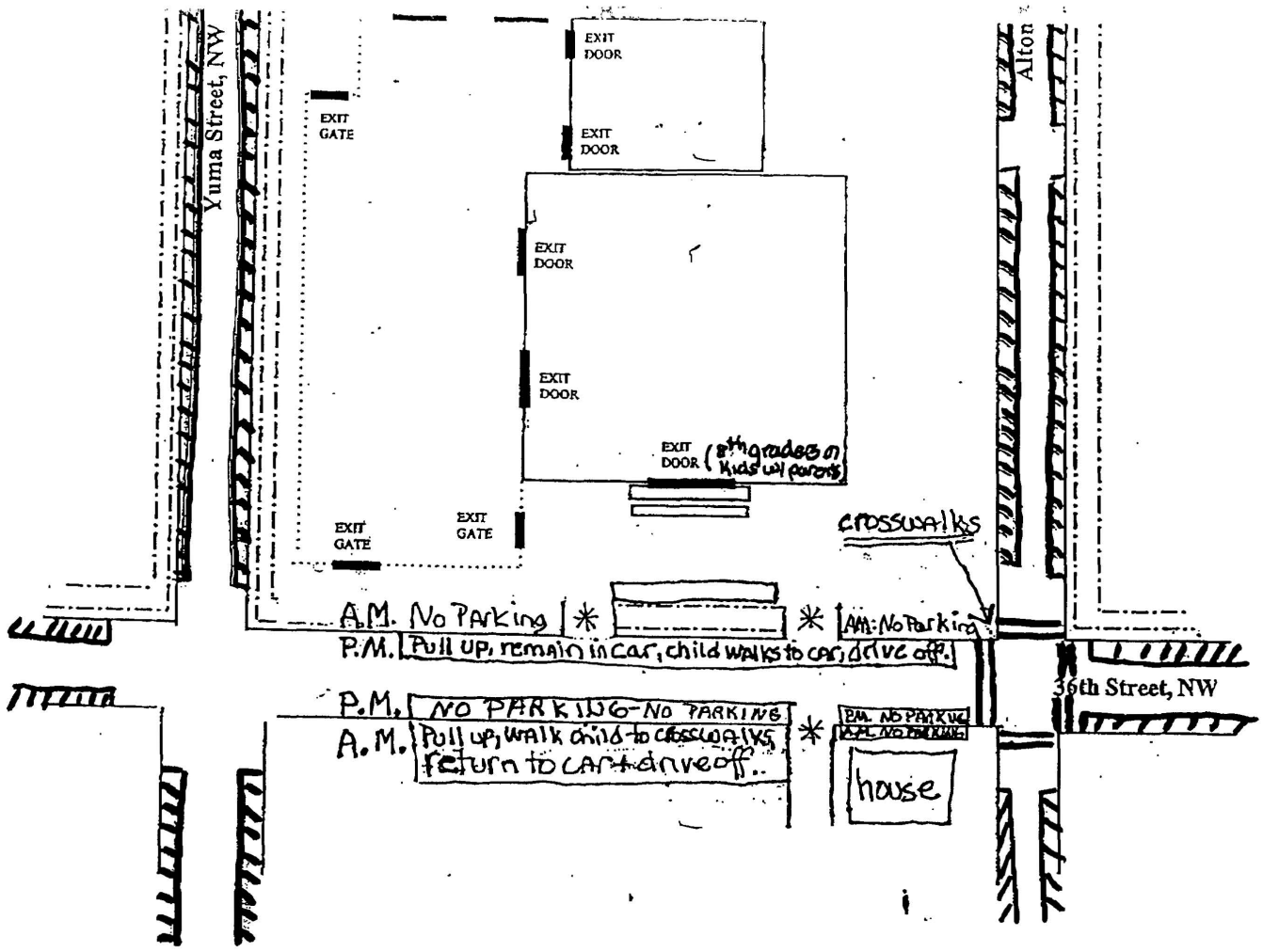
Thank you in advance for your help!

Randy Plummer

Randy Plummer
Head of School

SHERIDAN SCHOOL EST. 1973
4400 Thirty-sixth Street, N.W., Washington, D.C. 20008 • 202/362-7900 • Fax: 202/244-9696

FROM.: FAX NO. :12029668023 t. 14 2003 01:12PM P3



Parking (leave car unattended) permitted according to posted parking signs.

* Do NOT Block Driveways